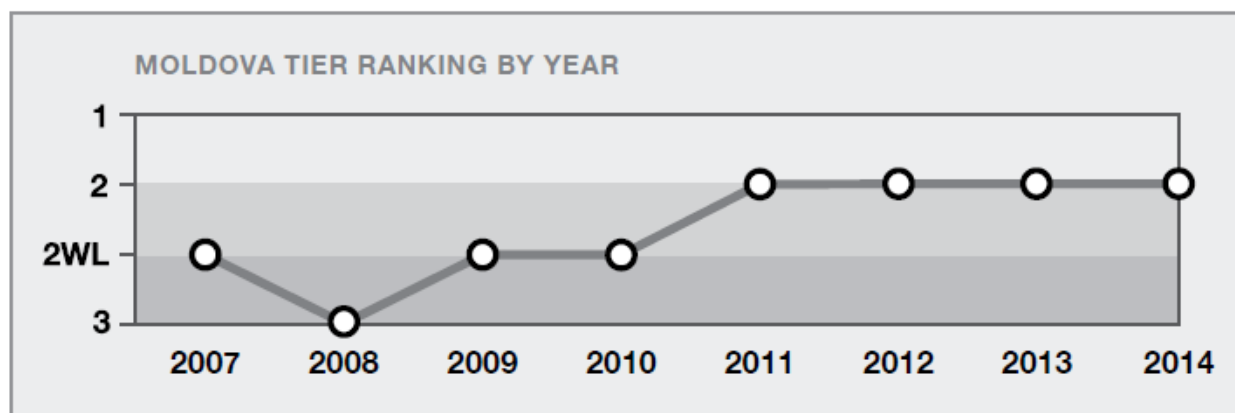


MOLDOVA (Tier 2)

1

Moldova is primarily a source country for men, women, and children subjected to sex trafficking and forced labor. Moldovan victims are often subjected to sex trafficking and forced labor within Moldova and in Russia, Turkey, the “Turkish Republic of Northern Cyprus,” Greece, United Arab Emirates, Kosovo, Kazakhstan, Lebanon, Italy, Spain, Ireland, Poland, Switzerland, Israel, Thailand, Germany, Denmark, and Czech Republic. Women and minors are subjected to sex trafficking in Moldova through brothels, saunas, and massage parlors. Moldovan men are subjected to forced labor in agriculture and construction in Ukraine and Russia. Moldovan women are subjected to forced labor in agriculture in Ukraine. Traffickers used fraud, debt bondage, and withholding of documents and wages to compel victims into sex trafficking and forced labor in other countries. Boys were subjected to sex trafficking in Moldova, and girls were subjected to sex trafficking both within the country and transnationally. Foreign tourists, including those from Norway, Italy, Germany, Sweden, Denmark, Thailand, Australia, Israel, and the United States, subjected Moldovan children to commercial sexual exploitation, using the Internet as a tool for recruitment and exploitation. The separatist Transnistria region is outside the central government’s control and remained a source for victims of both sex trafficking and forced labor.

The Government of Moldova does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government’s anti-trafficking center continued to implement major reforms that have improved the response to trafficking; added two prosecutors to the anti-trafficking section of the Prosecutor General’s Office; and made permanent the secretariat for the national committee for combating trafficking in persons. However, corruption has increased within the judicial sector, including the Supreme Court; shelters had little security, and victims and witnesses participating in trial were threatened. Court hearings were frequently delayed and prosecutors did not maintain regular contact with the victims.



Recommendations for Moldova:

Vigorously investigate, prosecute, and convict trafficking offenders and ensure offenders are sentenced according to the severity of their crimes with penalties prescribed for trafficking, including complicit officials in the judicial sector; monitor outcomes of sentencing and appeals within the judiciary to ensure convicted traffickers are held accountable; demonstrate vigorous efforts to convict and sentence government officials complicit in human trafficking; protect victims and witnesses and take additional measures to ensure that victims of trafficking are assisted during pre-trial and court proceedings, and capture victim testimony prior to trial, to the extent allowable by law; reform the criminal procedure code to allow for the wiretapping of suspected traffickers without prior notification; pursue financial investigations of suspected traffickers; increase prosecutions for witness tampering; make full use of the available measures to protect victims and witnesses; continue to train police, judges, and prosecutors on victim-centered approach to investigations; ensure that all victims have access to legal assistance and representation, and inform victims of the right to compensation for damages suffered in accordance with Moldova's criminal code; enhance efforts to identify victims and potential victims of trafficking among unaccompanied and separated children, children placed in institutions, and other vulnerable children.

Prosecution

The Government of Moldova sustained law enforcement efforts by redirecting them to focus more on complex trafficking networks; while this reform resulted in fewer investigations, prosecutions, and convictions, it also improved the quality of the law enforcement response to trafficking. Corruption in the judicial system regularly hindered the successful conviction and sentencing of traffickers. The law prohibits all forms of both sex and labor trafficking through Articles 165 and 206 of the criminal code. Prescribed penalties under these articles are five to 20 years' imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the Criminal Code and the Criminal Procedure Code were amended to provide new definitions for the crimes of pimping and organizing of begging to better distinguish these crimes from the crime of trafficking in persons. The amendments also provide for harsher penalties for non-aggravated trafficking in human beings of six to 12 years' imprisonment and trafficking in children of 10 to 12 years' imprisonment; criminalized the use of the results of labor or services of a person who is a victim of trafficking in persons, as well as provides for better protection measures for the participants in the criminal proceedings, including victims. The government reported 155 trafficking investigations in 2013, a decrease from 171 in 2012. Authorities prosecuted 51 suspected trafficking offenders in 2013, a decrease from 65 in 2012; eight were for child trafficking. The government convicted 25 trafficking offenders in 2013; four of the convictions were for child trafficking. This was a decrease from a total of 35 convictions in 2012. Sentences ranged from six months' to 20 years' imprisonment. Sentences for trafficking of children in 2013 ranged from 11 to 17 years' imprisonment. Corruption within the judiciary remained a problem; the judiciary often applied

sentences that did not correspond with the severity of the crime, and sentenced convicted traffickers to only fines or commuted prison terms.

The anti-trafficking center continued to implement major reforms that have improved the response to trafficking. The government added two prosecutors to the anti-trafficking section of the Prosecutor General's Office. The anti-trafficking center had a budget of the equivalent of approximately \$299,570 with a staff of 35 police officers in Chisinau and eight officers in regional divisions. The government assigned seven prosecutors to the anti-trafficking center to focus solely on investigating and prosecuting trafficking cases. NGOs reported that the police officers were professional and adopted a victim-centered approach to investigations. Cooperation among government institutions at times was poor, and some key institutions in the fight against trafficking continued to suffer from a lack of resources. There were allegations of corruption in the trafficking center's investigative section. Of the criminal investigations against 12 public officials initiated in 2012 for complicity, one resulted in a conviction and was sentenced to 13 years' imprisonment for using his position to recruit at least 15 women for sex trafficking. In 2013, one officer was removed for allegedly offering to drop a trafficking case for a fee. In another case, an officer was prosecuted for allegedly accepting a bribe to convince his colleagues to close the investigation of a trafficking case; the case is pending trial. In June 2013, the Supreme Court overturned the conviction of the head of a child trafficking ring and released him on grounds that experts deemed baseless. The government has since filed an appeal of that decision. The government, in cooperation with civil society partners, organized nine training sessions for over 100 law enforcement officers and 400 police cadets on combating trafficking, investigating trafficking-related crimes, and interviewing victims and witnesses. The government trained 10 judges and 10 prosecutors on the investigation of trafficking cases. The anti-trafficking center participated in joint trafficking investigations with the United States, Russia, Germany, Ukraine, Greece, and Turkey.

Protection

The government maintained efforts to protect victims of trafficking in 2013. The number of victims identified decreased. There continued to be a lack of resources and services for victims. Legal and psychological services for victims remained insufficient. The government identified 262 new victims of trafficking, a decrease from 289 victims identified in 2012. Of the 262 victims identified, the government assisted 105 victims; the vast majority were women, but the victims also included 13 male and 13 child victims. Of the 289 victims, NGOs reported assisting 92 victims, 26 of whom were child victims; the rest declined assistance. The national referral system continued to be successful and functioned in all regions of Moldova in coordination with law enforcement, schools, health service workers, social service workers, and NGOs. Multidisciplinary teams were set up at the regional level in order to coordinate a systematic approach to the identification, protection, and assistance of potential victims of trafficking.

All adult trafficking victims were housed at rehabilitation shelters and had the freedom to come and go. Child victims were placed with relatives, in foster care, or in rehabilitation clinics that provided specialized medical and psychological care. The rehabilitation system continued to provide comprehensive assistance to victims, including medical, legal, financial, psychological, educational, and other benefits. Both long-term and short-term shelter was available, and the government offered financial assistance for reintegration, including housing and allowances for victims. The government, in cooperation with an NGO, repatriated Moldovan victims identified abroad.

The government spent the equivalent of approximately \$9,000 in 2013 to repatriate victims, compared with the equivalent of approximately \$5,000 in 2012. Victims also received identification documents free of charge. In 2013, the government continued to fully fund a specialized short-term rehabilitation and protection center in Chisinau of the equivalent of approximately \$104,000, compared with the equivalent of approximately \$93,000 in 2012. In addition, the government funded five regional centers in coordination with NGOs and city governments. This network of care provided medium- and long-term assistance, reintegration, and vocational training. The government provided the equivalent of approximately \$373,000 to fund seven shelters for victims of trafficking and domestic violence, an increase from the equivalent of approximately \$302,200 in 2012.

The anti-trafficking center actively encouraged victims to assist in the investigation of trafficking offenders by ensuring victims were supported by NGOs and were provided with adequate services. Victims were free to obtain employment or to leave the country pending trial proceedings; access to assistance was not contingent on cooperation with investigations or prosecutions. NGOs reported that potential victims of child trafficking were questioned by law enforcement in the presence of a psychologist using a specialized “children’s room.” There were four special interview rooms in use in 2013; the government committed the equivalent of approximately \$130,000 to opening six additional rooms around the country. Reportedly, the government did not adequately protect victims. Shelters had little security, and victims and witnesses participating in trial were threatened. Law enforcement resources were inadequate to provide sufficient protection, and corruption undermined their reliability. Prosecutors reportedly did not appropriately prepare victims and witnesses for trial. Court hearings were frequently delayed and prosecutors did not maintain regular contact with the victims. In some cases, victims experienced intimidation in the court rooms, in the presence of police and prosecutors, and were frequently approached by their traffickers and pressured to change their testimony. In 2013, three victims were awarded compensation ranging from the equivalent of approximately \$300 to \$2,300. However, victims’ ability to file suits against their traffickers for restitution was often undermined because the perpetrator must first be recognized as guilty by the criminal court and traffickers reportedly bribe judges to escape punishment. Moldovan law provided residency permits or extensions of permits to foreign or stateless victims of trafficking who are willing to participate in a law enforcement investigation. There were no reports of victims of trafficking being deported during the reporting period. The criminal code of Moldova exempts victims of

trafficking from criminal liability for the commission of offenses related to human trafficking. Although victims are afforded by law a reflection period—time in which to recover before deciding whether to cooperate with law enforcement—in practice, authorities rarely provided victims a reflection period due to criminal procedure rules that require prosecutors to press charges within strict time limits. As a result, victims’ rights were not always respected. The government was unable to combat trafficking in the separatist region of Transnistria, which is outside the control of the central government. Transnistrian victims received full support and assistance from Moldovan shelters, but law enforcement cooperation is rare, informal, and inadmissible in court.

Prevention

The government increased efforts to prevent trafficking in persons during the year by making permanent the secretariat for the national committee for combating trafficking in persons, and increased its staff to four members. The secretariat was responsible for coordinating the government’s anti-trafficking response. In September 2013, the secretariat began drafting the 2014-2016 action plan. The secretariat provided training sessions and roundtable discussions to members of the regional commissions, mayors, city councilmen, and local leaders on combating trafficking. The government trained 375 school psychologists and teachers on issues related to victim identification and interview techniques with child victims. The government, in coordination with NGOs, trained 699 professionals on victim identification, current activities in victim identification, and principles of interagency cooperation. In 2013, in partnership with local authorities, the government re-trained more than 700 doctors, social workers, school officials, law enforcement personnel, and NGO representatives on trafficking prevention and combating trafficking. The government prosecuted and convicted Moldovan tourism firms for fraudulently recruiting foreigners and subjecting them to forced labor. Law enforcement revoked the licenses of eight employers for forced labor violations and temporarily suspended nine licenses and annulled ten illegally-issued licenses. The government launched a website dedicated to anti-trafficking featuring resources, information, contacts, reports, and news related to trafficking. The government also hosted a week long awareness-raising campaign centered on European Anti-Traffic Day. More than 120,000 people participated in the National Anti-Traffic Week, including students who attended public debates and lectures on trafficking. The government continued to invest in combating the sexual abuse of children online and the internet recruitment of children for exploitation by establishing a center for combating cyber crime. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor.